

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

UNITED STATES OF AMERICA	)	
	)	
Plaintiffs,	)	
	)	Case No. 11 C 5937
v.	)	
	)	Magistrate Judge Gilbert
AIMEE KRAUSE	)	
	)	
	)	
Defendant.	)	

**RESPONSE TO MOTION FOR SANCTIONS**

NOW COMES JOHN A. GOUDGE, and for his response to defendant's motion for sanctions states as follows:

Defendant filed a motion seeking sanctions against the United States of America and John A. Goudge the former attorney for the United States of America for the alleged failure to properly redact personal information contained in initial court filings allegedly in violation of Rule 5.2(a).

Defendant's motion does not identify the personal identifying information allegedly not properly redacted. The sole exhibit is the first page of the complaint.

Defendant's motion for sanctions also refers to the possibility that 37 additional cases information might not have been properly redacted. The motion does not identify the cases involved or what if any information was not redacted.

Defendant does not claim that she suffered any pecuniary loss or identify theft or actual damages as result of the alleged violations. Nor does she claim that anyone else suffered any loss. None the less, defendant seeks to have the case against her

dismissed and to have the respondent sanctioned including compelling him to pay for credit monitoring for 25 years.

Defendant fails to note that the allegedly improper filing took place on Friday August 26, 2011. On Monday, August 29, 2011, the court entered the order attached hereto as **Exhibit A**. That order informed the parties that the clerk had temporarily restricted Exhibits A, C, and E to the complaint. The court directed plaintiff's attorney to properly redact and refile those exhibits via the CM/ECF system. The court also ordered that once the redacted exhibits were refiled, the Clerk was to replace the restricted exhibits with the redacted versions of those exhibits. The corrected exhibits were filed on August 29, 2011. A copy of the docket sheet is attached as **Exhibit B**.

Since the Court order the Clerk of the Court to remove the exhibits A, C, and E, the failure to do so is not attributable to the respondent.

Attached hereto as **Exhibit C** is a true and correct copy of the complaint filed in this case. On page four, the complaint contains the last four digits of the defendant's social security number. Federal Rule of Civil Procedure 5.2(a)(1) specifically authorizes the use of the last four digits of the social security number.

The affidavit of Regina Buford, the paralegal working on the cases is attached hereto as **Exhibit D**. Her affidavit establishes the following facts:

1. Identifying personal information was initially redacted from exhibits with a black magic marker. That redaction hid the information from direct examination.
2. On review of the August 29, 2011 order, she immediately redacted the identified exhibits a second time using whiteout tape and refiled them on that same date.
3. On review of other cases, she discovered personal information

could be viewed through redaction in some cases. The firm promptly moved the court to strike the exhibits and to substitute properly redacted documents. The court granted those motions and the corrected exhibits were filed.

Attached hereto as **Exhibit E**, is the affidavit of the respondent John A. Goudge.

It establishes the following facts:

1. The exhibits to the complaint had been redacted with black magic marker which concealed on visual inspection;
2. On August 30, 2011, he attempted to access through ECF the original Exhibits A, C and E to the complaint in this case and found access blocked;
3. On October 21, 2011, he attempted to access said original exhibits A, C and E to the complaint and found access blocked.

The above establishes that any violation of Federal Rule 5.2 (a) was inadvertent, promptly remedied and caused no harm.

WHEREFORE, Respondent John A. Goudge respectfully requests that the Court deny defendant's motion for sanctions against him.

Respectfully submitted,

/s/ John A. Goudge  
John A. Goudge

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